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January 3, 2020

Before deciding I would like to see a report or letter from the treating dermatologist, describing the treatment and the risks, if any, that reporting to prison would entail. So Defendant should provide that ASAP.

BY ECF

Hon. Cathy Seibel
United States District Judge
United States Courthouse
300 Quarropas Street
White Plains, NY 10601

SO ORDERED.


CATHY SEIBEL, U.S.D.J.

1/3/20

Re: United States v. Gregory Bayard
18 Cr. 771 (CS)

Dear Judge Seibel:

Gregory Bayard was sentenced by Your Honor on October 10, 2019, to 24 months imprisonment. He was allowed to surrender voluntarily to his designated facility on January 10, 2020, before 2 p.m. Because of his multiple medical complications, Mr. Bayard has been designated by the BOP to FMC Devens in Fort Devens, Massachusetts.

The purpose of this letter is to request respectfully that Mr. Bayard's surrender to Devens be postponed for two weeks, to January 24, 2020. The reason for this request is that Mr. Bayard presently is under the care of a dermatologist who, by use of a light scan, detected numerous cells on Mr. Bayard's face that are pre-cancerous but could morph into cancerous ones and, with Mr. Bayard's compromised immune system, spread quickly. The dermatologist prescribed a cream called Fluorouracil, which is designed to burn off the top layer of Mr. Bayard's facial skin, killing the "bad" cells. New skin will grow in to replace the burned off skin. He has begun the use of Fluorouracil and will complete its use on January 13. He advises that his face is now quite red and very painful.

I spoke to the BOP's Susan Couch, an administrator in the area of medical designations. She did not have a view as to whether Mr. Bayard should report as scheduled next week, but did point out specifically for me to relate that the inmates in the section of Devens where Mr. Bayard will be housed use common showers and that the chances of infection in his condition and with his reduced immunity are therefore greater, particularly while his condition is so florid. Ms.

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Couch asked to be notified as to any change in Mr. Bayard's surrender requirements.

Mr. Bayard's physician will be available on Monday, January 6 if additional information would be helpful.

AUSA James McMahon advises that he does not concur with this request.

Under the circumstances, I submit that a 2-week postponement of Mr. Bayard's surrender would be prudent and hopefully give him time for his condition to improve and for the pain he is experiencing to subside. I appreciate Your Honor's consideration of this request.

Respectfully submitted,



Clinton W. Calhoun, III

CWC/kvm

cc: AUSA James McMahon (by ecf)